

FORM PTO-1390US DEPARTMENT OF COMMERCE
REV. 5-93PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS DOCKET NUMBER
09792909-5984

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/506752

INTERNATIONAL APPLICATION NO.
PCT/JP03/16341

INTERNATIONAL FILING DATE
December 19, 2003

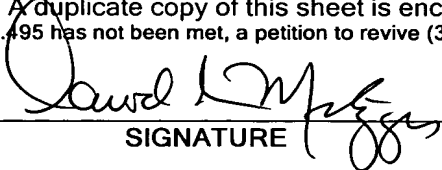
PRIORITY DATE CLAIMED
January 15, 2003

TITLE OF INVENTION **"MAGNETIC MEMORY DEVICE"**

APPLICANT(S) FOR DO/EO/US **Yoshihiro Kato, Katsumi Okayama, Kaoru Kobayashi, Tetsuya Yamamoto
and Minoru Ikarashi**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
 4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date and the U.S. has been elected.
 5. ☒ A copy of International Application (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☒ Amendments to the claims of the International Application under PCT Article 34.
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)) (**attached at back of English translation of application**)
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) - Forms 338 and 409.
- Items 11. to 16. below concern other document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☒ A **FIRST** preliminary amendment.
 14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☒ Other items or information:
 - a. ☒ Submission of Drawings (14 sheets of drawings - Figs. 1-19)
 - b. ☒ EXPRESS MAIL #EV433244633US
 - c. ☒ Forms 220, 301, 304 and 308
 - f. ☒ Form 2038

U.S. APPLICATION NO. (if known) 10/506752		INTERNATIONAL APPLICATION NO. PCT/JP03/16341		ATTORNEY'S DOCKET NUMBER 09792909-5984	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR §1.482) Nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 C.F.R. §1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 920.00 International Preliminary examination fee (37 CFR §1.482) not paid to USPTO But international search fee (37 CFR §1.445(a)(2)) paid to USPTO \$ 770.00 International preliminary examination fee (37 C.F.R. §1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)(4) \$ 730.00 International preliminary examination fee (37 CFR §1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)(4) \$ 100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	17 - 20 =		X \$ 18.00	\$	
Independent Claims	2 - 3 =		X \$ 86.00	\$	
Multiple Dependent Claims			\$280.00 +	\$ 280.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,200.00	
<input type="checkbox"/> Applicant claims small entity status See 37 CFR §1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1,200.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,200.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1,240.00	
				Amount to be refunded	\$
				charged	\$ 1,240.00
a. <input type="checkbox"/> A check in the amount of \$___ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge attorney's firm American Express Account No. <u>378571697402000</u> in the amount of \$ <u>1,240.00</u> to cover the above fees. PTO Form 2038 is enclosed for that purpose. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Sonnenschein, Nath & Rosenthal LLP P.O. Box 061080 Wacker Drive Station - Sears Tower Chicago, Illinois 60606-1080 Customer No. 26263 Telephone 312/876-8000					
 _____ SIGNATURE					
_____ David R. Metzger NAME					
_____ 32,919 Registration Number					
Date: _____ September 3, 2004					

10/506752

EXPRESS MAIL #EV433244633US

DT09 Rec'd PCT/PTO 03 SEP 2004

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EV433244633US

Date of Deposit: September 3, 2004

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

National U.S. phase application based on PCT application No. PCT/JP03/16341 including the following:

Applicant(s): Yoshihiro Kato, Katsumi Okayama, Kaoru Kobayashi,
Tetsuya Yamamoto and Minoru Ikarashi

Attorney Docket No. 09792909-5984

\$1,200.00 filing fee (10 claims - 2 independent w/multiple) (charged to AMEX account)

Executed Declaration

Executed Assignment, PTO 1595 & \$40.00 recording fee (chg. to AMEX account)

Preliminary Amendment

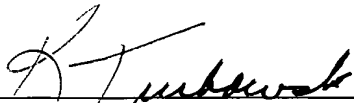
14 sheets of Drawings (Figs. 1-19)

Form 2038

Request and Forms 301, 304 and 308

Information Disclosure Statement, PTO 1499 and references cited

Return postcard



Signature of Person Mailing Application and Fees